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Court of Appeal

STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

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April 27, 1987

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Re: Church of Scientology of California
and Mary Sue Hubbard v. Armstrong
(Superior Court No. C 420153)
Our File No. B025920

Dear Counsel:

Appellants' motion that this court render its decision on the merits of the above-captioned appeal on the basis of the briefing and oral argument already had in the prior case, number B005912, otherwise identically captioned, has been denied by the court, without prejudice.

Rules 13 and 14 of the California Rules of Court govern the filing of briefs. Appellants and respondent are required to file briefs, but are permitted to adopt by reference any brief in the same or companion cases. The motion of one party to adopt its own brief in a companion case could not deprive the other party of its right to file a brief as provided by the rules, if that party chose to do so.

*Send cc to
Mike +
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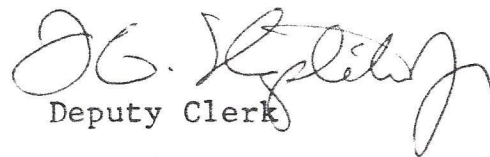
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The court would be able to consider the motion of either party to have its brief in the earlier case adopted by reference. The court would also be able to consider a written stipulation by the parties that the appeal be considered and decided on the basis of the briefing and oral argument already conducted in the prior appeal, case number B005912.

Very truly yours,

Clay Robbins, Jr., Clerk

By


Deputy Clerk